



TRIUMPH)
INTERNATIONAL INC.)
c/o Greenberg Traurig, LLP)
3290 Northside Parkway)
Suite 400)
Atlanta, GA 30327)
)
(Complainant))
)
v.)
)
DOMAINS BY PROXY, INC.)
15111 N. Hayden Rd., Ste 160, PMB 353)
Scottsdale, Arizona 85260)
)
(Respondent))
_____)

Domain Names In Dispute:
<teammichaeljackson.com>

**COMPLAINT IN ACCORDANCE WITH
THE UNIFORM DOMAIN NAME DISPUTE RESOLUTION POLICY**

[1.] This Complaint (“Complaint”) is hereby submitted for decision in accordance with the Uniform Domain Name Dispute Resolution Policy (UDRP), adopted by the Internet Corporation for Assigned Names and Numbers (ICANN) on August 26, 1999 and approved by ICANN on October 24, 1999, and the Rules for Uniform Domain Name Dispute Resolution Policy (UDRP Rules), with an effective date of March 1, 2010 and the National Arbitration Forum (FORUM) Supplemental Rules (Supp. Rules). UDRP Rule 3(b)(i).

[2.] COMPLAINANT’S INFORMATION

- [a.] Name: Triumph International, Inc. (“Triumph”)
- [b.] Address: c/o Greenberg Traurig, LLP
3290 Northside Parkway, Suite 400
Atlanta, GA 30327
- [c.] Telephone: 678-553-4778
- [d.] Fax: 678-553-4779
- [e.] E-Mail: <feldmanjoel@gtlaw.com>; <atldomains@gtlaw.com>

INFORMATION FOR COMPLAINANT’S REPRESENTATIVE
UDRP Rule 3(b)(ii).

- [a.] Name: Joel R. Feldman, Greenberg Traurig, LLP

- [b.] Address: 3290 Northside Parkway, Suite 400, Atlanta, GA 30327
- [c.] Telephone: 678-553-4778
- [d.] Fax: 678-553-4779
- [e.] Email: <feldmanjoel@gtlaw.com>; <atldomains@gtlaw.com>

Triumph's preferred method for communications directed to Triumph in the administrative proceeding (UDRP Rule 3(b)(iii)):

Electronic-Only Material

- [a.] Method: Email
- [b.] Address: <feldmanjoel@gtlaw.com>
- [c.] Contact: Joel R. Feldman

Material Including Hard Copy

- [a.] Method: Facsimile
- [b.] Address/Fax: 678-553-4779
- [c.] Contact: Joel R. Feldman

Triumph chooses to have this dispute heard before a single-member administrative panel. UDRP Rule 3(b)(iv).

[3.] RESPONDENT'S INFORMATION

- [a.] Name: Domains by Proxy, Inc. ("Respondent")
- [b.] Address: 15111 N. Hayden Rd., Ste 160, PMB 353,
Scottsdale, Arizona 85260
- [c.] Telephone: (480) 624-2599
- [d.] Fax: (480) 624-2598
- [e.] E-Mail: <teammichaeljackson.com@domainsbyproxy.com>;
<postmaster@teammichaeljackson.com>

[4.] DISPUTED DOMAIN NAMES

- [a.] The domain name that is the subject of this Complaint is <teammichaeljackson.com> (the "Infringing Domain Name"). (UDRP Rule 3(b)(vi)).
- [b.] Registrar Information: UDRP Rule 3(b)(vii).
 - [i.] Registrar's Name: GoDaddy.com, Inc.
 - [ii.] Registrar Address: 14455 North Hayden Rd., Suite 219,
Scottsdale, AZ 85260
 - [iii.] Telephone Number: (480) 505-8877
 - [iv.] E-Mail Address: <abuse@godaddy.com>
- [c.] Trademark/Service Mark Information (UDRP Rule 3(b)(viii)):

Triumph owns one active United States trademark registration and numerous active United States trademark and service mark applications incorporating the MICHAEL JACKSON mark, including the following:

- [i.] MICHAEL JACKSON (U.S. Reg. No. 1,908,209) for sound recordings; namely, pre-recorded phonograph records, audio tapes, compact discs, videotapes, and motion picture films featuring music and entertainment, attached hereto as **Annex 1**;
- [ii.] MICHAEL JACKSON (U.S. App. Serial. No. 77/806,349) for musical sound recordings; audiovisual recordings featuring music and musical entertainment; motion picture films featuring music and musical entertainment; computer application software for mobile phones; downloadable ring tones and graphics for mobile phones; downloadable image and graphics files featuring display screen backgrounds or wallpapers, widgets, icons and photographs; downloadable podcasts in the field of music; downloadable electronic publications in the nature of books, magazines, newsletters, pamphlets, booklets and brochures in the field of music and entertainment; electronic game programs; video game software; storage cases for compact discs and DVDs; cell phone cases and covers; decorative light switch plates; electric signs; computer mouse pads; eyewear, eyewear accessories, namely, straps, neck cords and head straps which restrain eyewear from movement on a wearer; magnets, attached hereto as **Annex 2**;
- [iii.] MICHAEL JACKSON (U.S. App. Serial. No. 77/806,355) for clothing, namely, shirts, jackets, sweaters, pants, belts, socks, sweatshirts, jerseys, shorts, jogging suits, sweat pants; headwear; scarves, gloves, coats, hosiery, neckties, rainwear, swimwear, sleepwear, robes, thermal underwear, headbands, and wristbands; footwear; costumes for use in children's dress up play; costumes for use in role-playing games; dance shoes; dance costumes; masquerade costumes and masks sold in connection therewith; novelty headwear with attached wigs; infant wear; infants' shoes and boots, attached hereto as **Annex 3**;
- [iv.] MICHAEL JACKSON (U.S. App. Serial. No. 77/806,351) for paper goods and printed matter, namely, posters; children's books; books in the field of music and entertainment, series of fiction books; comic books, bumper stickers, stickers, calendars, pencil sharpeners, pencil cases, activity books, both printed and blank; binders, notebooks, stationery, note pads, writing tablets, paper table cloths, paper napkins, pencils, markers, erasers, coloring books, writing pens, non-calibrated rulers, paper weights, paper coasters, bookmarks, book covers and holders, paper place mats; photo albums; address books; fan club newsletters, post cards, holiday cards, greeting cards, art prints, printed art reproductions, merchandise bags; children's activity books and picture books; photographs, gift wrap paper; souvenir collection books for movies and other audiovisual

productions; souvenir collection books commemorating the life of a famous pop star; entertainment tour memorabilia collection books; event programs; song books; sheet music books; picture books; decals; magazines, newsletters, booklets, pamphlets and brochures in the field of music and entertainment; lithographs; precious metal money clips; letter openers of precious metal and book markers of precious metal, attached hereto as **Annex 4**;

- [v.] MICHAEL JACKSON (U.S. App. Serial. No. 77/806,358) for entertainment services, namely, live and televised performances featuring musical, dance, dramatic, and comedic presentations; entertainment services, namely, an ongoing series featuring music and dance provided through the Internet, television, satellite, and audio media; film, theater, radio, videotape and television program production services; entertainment in the nature of a continuing television drama series, entertainment in the nature of a continuing television comedy series; entertainment in the nature of television news shows; music publishing services; song writing services; audio recording and production; record and music production; recording studio services; magazine publication services; providing recreational activities facilities for others; recreational camps; recreational park services; amusement parks; art exhibitions; dance instruction; entertainment services, namely, operating a museum and providing guided tours of the museum; providing theme park services; dance events; dance schools; dance studios; museums; entertainment services, namely, providing podcasts in the field of music; entertainment services, namely, providing information and commentary online in the field of music; providing newsletters in the field of music via e-mail; entertainment services, namely, providing pre-recorded music, video and graphics, providing information in the field of music, and commentary and articles about music, all on-line; providing an Internet website portal featuring musical performances, musical videos, film clips, photographs and other multimedia materials; fan club services; educational services, namely, conducting classes, seminars, conferences, and workshops in the field of music and entertainment, attached hereto as **Annex 5**; and

- [vi.] THE OFFICIAL ONLINE TEAM OF THE MICHAEL JACKSON ESTATE (U.S. App. Serial. No. 85/279,607) for entertainment services, namely, providing information to fans and fan sites of Michael Jackson by means of a global computer network, attached hereto as **Annex 6**.

[5.] **FACTUAL AND LEGAL GROUNDS**

This Complaint is based on the following factual and legal grounds: ICANN Rule 3(b)(ix).

- [a.] *The <teammichaeljackson.com> domain name is confusingly similar to Triumph's trademark rights in MICHAEL JACKSON.* UDRP Rule 3(b)(ix)(1); UDRP ¶ 4(a)(i).

Triumph owns the MICHAEL JACKSON mark. Triumph has used the MICHAEL JACKSON mark since at least 1985 in connection with various goods and services, including, sound recordings and entertainment services. *See Annexes 1 – 5.* In addition, Triumph has used THE OFFICIAL ONLINE TEAM OF THE MICHAEL JACKSON ESTATE as a service mark for Internet fan sites since 2010. *See Annex 6.*

Michael Jackson is one of the world's most famous musicians. In 1982, Michael Jackson released an album named *Thriller*, which is the best-selling music album of all time. Michael Jackson has won hundreds of prominent music awards, including 13 GRAMMY Awards, and has sold approximately 750,000,000 albums worldwide.

In 1984, Michael Jackson formed Triumph to own and manage his trademarks, including the famous MICHAEL JACKSON trademark. When Michael Jackson died on June 25, 2009, ownership of Triumph transferred to Michael Jackson's Estate. For the purpose of disseminating official information on behalf of Michael Jackson's Estate, Triumph uses the phrase "The Official Online Team of the Michael Jackson Estate," through an authorized licensee, in connection with its online activities, such as social media. *See Annexes 6 & 7.*

Triumph's ownership of a federal trademark registration for MICHAEL JACKSON is sufficient, under the UDRP, to establish rights in the MICHAEL JACKSON mark. *See Miller Brewing Co. v. Miller Family*, FA 104177 (Nat. Arb. Forum Apr. 15, 2002) (finding that complainant had established rights to the MILLER TIME mark through its federal trademark registrations). Therefore, Triumph has rights in its MICHAEL JACKSON mark under UDRP ¶ 4(a)(i) based on its registration of the mark with the United States Patent and Trademark Office.

As a result of Triumph's use of the MICHAEL JACKSON mark for over 25 years and its registration of the MICHAEL JACKSON mark for over 15 years, Triumph enjoys strong rights in this mark. Accordingly, Triumph has sufficient trademark ownership rights to prevent Respondent's maintenance of the Infringing Domain Name.

Respondent's Infringing Domain Name is confusingly similar to Triumph's MICHAEL JACKSON mark because it contains Triumph's entire MICHAEL JACKSON mark and differs from Triumph's MICHAEL JACKSON mark only by the addition of the term "team." *See Microsoft Corporation v. Teammsn*, FA 648204 (Nat. Arb. Forum Mar. 27, 2006) (finding respondent's <teammsn.com> domain name confusingly similar to complainant's MSN mark because "the mere addition of a descriptive term to Complainant's registered mark does not negate the confusingly similar aspects of Respondent's domain name pursuant to Policy ¶ 4(a)(i)"). Respondent's addition of the descriptive term "team" does not distinguish the Infringing Domain Name from Triumph's MICHAEL JACKSON mark. This is especially true because Triumph uses the term "TEAM" in connection with its own online presence. *See Annexes 6 & 7.*

Also, the addition of the gTLD “.com” does not distinguish the Infringing Domain Name from Triumph’s MICHAEL JACKSON mark. *See Gardline Surveys Ltd. v. Domain Fin. Ltd.*, FA 153545 (Nat. Arb. Forum May 27, 2003) (“The addition of a top-level domain is irrelevant when establishing whether or not a mark is identical or confusingly similar, because top-level domains are a required element of every domain name.”).

[b.] ***Respondent does not possess any rights or legitimate interests in the <teammichaeljackson.com> domain name.*** UDRP Rule 3(b)(ix)(2); UDRP ¶ 4(a)(ii).

The Respondent does not have any rights or legitimate interests in the Infringing Domain Name. Under UDRP ¶ 4(c), Respondent only has rights or legitimate interests in the Infringing Domain Name if: (1) before notice of the dispute, Respondent was using the domain name in connection with a *bona fide* offering of goods or services; (2) Respondent is commonly known by the domain name; or (3) Respondent is making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain. *See* UDRP ¶ 4(a)(ii); 4(c). Respondent cannot demonstrate any of these three scenarios.

First, Respondent is not using the Infringing Domain Name for the *bona fide* offering of goods or services. *Bona fide* means made in good faith; without fraud or deceit; sincere; genuine. *See Black’s Law Dictionary* 168 (7th ed. 1999). Therefore, the Respondent must not only be *using* the Infringing Domain Name, Respondent must be doing so *in good faith* and *without fraud or deceit*; otherwise Respondent’s use is not *bona fide*. *See Nokia Corp. v. Eagle*, FA 1125685 (Nat. Arb. Forum Feb. 7, 2008) (finding the respondent’s use of the disputed domain name to pass itself off as the complainant in order to advertise and sell unauthorized products of the complainant was not a *bona fide* offering of goods or services pursuant to UDRP ¶ 4(c)(i), or a legitimate noncommercial or fair use of the disputed domain name pursuant to UDRP ¶ 4(c)(iii)).

Respondent is using the Infringing Domain Name to sell viewing access to court transcripts. *See Annex 8 & 9*. Because Respondent is collecting money in exchange for providing a service, this is a commercial transaction. And because Respondent is using Triumph’s registered trademark for this commercial transaction, the commercial use is not a *bona fide* offering of goods or services. *See Nokia Corp. v. Eagle*, FA 1125685 (Nat. Arb. Forum Feb. 7, 2008) (finding the respondent’s use of the disputed domain name to pass itself off as the complainant in order to advertise and sell unauthorized products of the complainant was not a *bona fide* offering of goods or services pursuant to UDRP ¶ 4(c)(i), or a legitimate noncommercial or fair use of the disputed domain name pursuant to UDRP ¶ 4(c)(iii)).

Second, Respondent is not commonly known by the name “Michael Jackson.” The WHOIS information shows that Respondent has hidden his or her name by using a proxy service *See Annex 10*. As a result, there is no evidence that Respondent has a right to use the name “Michael Jackson” by virtue of his or her name. In addition, Triumph has not granted Respondent permission to use the Infringing Domain Name. Respondent is not part of the “Michael Jackson team.”

Third, Respondent is not using the Infringing Domain Name for a noncommercial use. Rather, as stated above, Respondent is currently using the Infringing Domain Name, *inter alia*, to request that website visitors send money to Respondent through Paypal. This is clearly a commercial use, and the request for money is prominent and pervasive throughout the website. See **Annexes 8 & 9**. The fact that Respondent has used the misleading term “donations” does not change the commercial nature of the transaction. Respondent is not a charity.

Based on the foregoing, Respondent has no rights or legitimate interests in the Infringing Domain Name and is therefore not entitled to retain ownership of the Infringing Domain Name in light of Triumph’s well-established trademark rights in the MICHAEL JACKSON mark.

[c.] *The <teammichaeljackson.com> was registered and is being used in bad faith.*
UDRP Rule 3(b)(ix)(3); UDRP ¶ 4(a)(iii).

Respondent registered and is using the Infringing Domain Name in bad faith in violation of UDRP ¶ 4(a)(iii). Under UDRP ¶ 4(b)(iii), if by using the Infringing Domain Name, Respondent intentionally attempts to attract, for commercial gain, Internet users to his or her website by falsely suggesting a connection to Triumph or Michael Jackson, this intent is evidence of bad faith.

It is clear from the content on the Infringing Domain Name that the “Michael Jackson” portion of the <teammichaeljackson.com> domain name refers to the iconic musician, who is the subject of the federal trademark applications and registration owned by Triumph. Therefore, it is clear that when Respondent registered the Infringing Domain Name, Respondent was aware of Triumph’s trademark rights in the MICHAEL JACKSON mark. And Respondent continues to use the Infringing Domain Name, which contains the entire MICHAEL JACKSON mark, to attract Internet users to his or her web site and to prominently promote his or her economic interest of collecting “donations” in exchange for posting court transcripts.

Triumph recognizes Respondent’s legal right to develop a website that posts legal transcripts or documents. But Respondent cannot use a domain name containing Triumph’s registered MICHAEL JACKSON trademark for this purpose. This is especially true because the addition of the word “team” to “Michael Jackson” to create the domain name <teammichaeljackson.com> further suggests that the Infringing Domain Name is connected to Triumph and Michael Jackson. In other words, <teammichaeljackson.com> is a domain name that falsely suggests to consumers that the website is part of the Michael Jackson team. It is not.

To the extent that Respondent is attempting to pass the Infringing Domain Name off as a legitimate website by using Triumph’s MICHAEL JACKSON trademark and photographs and videos of Michael Jackson, this conduct is prohibited by UDRP ¶ 4(b)(iv) and is evidence of Respondent’s bad-faith use and registration of the Infringing Domain Name. See *National Westminster Bank plc v. Jones Emeron*, FA 1210038 (Nat. Arb. Forum July 25, 2008); *Am. Online, Inc. v. Miles*, FA 105890 (Nat. Arb. Forum May 31, 2002); *Royal Bank of Scot. Group plc v. 123register.com*, FA 649493 (Nat. Arb. Forum Apr. 14, 2006).

Respondent’s use of the Infringing Domain Name suggests to consumers throughout the world that his or her domain name and web site are affiliated with Triumph. They are not.

Triumph is in no way affiliated with Respondent and does not approve of his or her operation of the Infringing Domain Name.

Based on the foregoing, Triumph has established a *prima facie* case that Respondent registered and is using the Infringing Domain Name in bad faith. Because Triumph has established rights in the MICHAEL JACKSON mark and Respondent does not, the UDRP dictates that the Infringing Domain Name be transferred from Respondent to Triumph.

[6.] **REMEDY SOUGHT**

Triumph requests that the Panel issue a decision that the <teammichaeljackson.com> domain-name registration be transferred from Respondent to Triumph. UDRP Rule 3(b)(x); UDRP ¶ 4(i).

[7.] **OTHER LEGAL PROCEEDINGS**

No other legal proceedings have commenced or terminated in connection with or relating to the <teammichaeljackson.com> domain name that is the subject of this action. UDRP Rule 3(b)(xi).

[8.] **COMPLAINT TRANSMISSION**

Triumph asserts that a copy of this Complaint, together with the cover sheet as prescribed by the Forum's Supplemental Rules, has been sent or transmitted to Respondent (domain-name holder), in accordance with UDRP Rule 2(b) and to the Registrar of the domain names, in accordance with Forum Supp. Rule 4(e). UDRP Rule 3(b)(xii); Forum Supp. Rule 4(c).

[9.] **MUTUAL JURISDICTION**

Triumph will submit, with respect to any challenges to a decision in the administrative proceeding canceling or transferring the domain names, to jurisdiction where Respondent is located, as shown by the address given for the domain-name holder in the WhoIs Database at the time of the submission of the Complaint to the Forum. UDRP Rule 3(b)(xiii).

[10.] **CERTIFICATION**

Triumph agrees that its claims and remedies concerning the registration of the domain names, the dispute, or the dispute's resolution shall be solely against the domain-name holder and waives all such claims and remedies against: (a) the National Arbitration Forum and panelists, except in the case of deliberate wrongdoing; (b) the registrar; (c) the registry administrator; and (d) the Internet Corporation for Assigned Names and Numbers, as well as their directors, officers, employees, and agents.

Triumph certifies that the information contained in this Complaint is to the best of Triumph's knowledge complete and accurate, that this Complaint is not being presented for any improper purpose, such as to harass, and that the assertions in this Complaint are warranted under these

Rules and under applicable law, as it now exists or as it may be extended by a good-faith and reasonable argument.

Respectfully Submitted,



Joel R. Feldman
GREENBERG TRAURIG, LLP
Date: April 4, 2011

MichaelJackson.com

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DOMAINS BY PROXY, INC.**

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Annex 1

TeamMichaelJackson.com

Typed Drawing

Word Mark MICHAEL JACKSON
Goods and Services IC 009. US 021 026 036 038. G & S: sound recordings; namely, pre-recorded phonograph records, audio tapes, compact discs, videotapes, and motion picture films featuring music and entertainment. FIRST USE: 19850101. FIRST USE IN COMMERCE: 19850101
Mark Drawing Code (1) TYPED DRAWING
Serial Number 74398145
Filing Date June 3, 1993
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition May 9, 1995
Registration Number 1908209
Registration Date August 1, 1995
Owner (REGISTRANT) **Triumph** International, Inc. CORPORATION CALIFORNIA c/o ALVIN MALNIK 6301 N. OCEAN BLVD. OCEAN RIDGE FLORIDA 33435
Attorney of Record KATHERINE L. MCDANIEL
Prior Registrations 1443941
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20040918.
Renewal 1ST RENEWAL 20040918
Other Data The name shown in the mark, identifies a living individual whose consent is of record.
Live/Dead Indicator LIVE

Annex 2

TeamMichaelJackson.com

MICHAEL JACKSON

Word Mark MICHAEL JACKSON

Goods and Services IC 009. US 021 023 026 036 038. G & S: Musical sound recordings; audiovisual recordings featuring music and musical entertainment; motion picture films featuring music and musical entertainment; computer application software for mobile phones; downloadable ring tones and graphics for mobile phones; downloadable image and graphics files featuring display screen backgrounds or wallpapers, widgets, icons and photographs; downloadable podcasts in the field of music; downloadable electronic publications in the nature of books, magazines, newsletters, pamphlets, booklets and brochures in the field of music and entertainment; electronic game programs; video game software; storage cases for compact discs and DVDs; cell phone cases and covers; decorative light switch plates; electric signs; computer mouse pads; eyewear, eyewear accessories, namely, straps, neck cords and head straps which restrain eyewear from movement on a wearer; magnets

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 77806349

Filing Date August 17, 2009

Current Filing Basis 1B

Original Filing Basis 1B

Owner (APPLICANT) Triumph International, Inc. CORPORATION CALIFORNIA 3290 Northside Parkway, Suite 400 c/o Greenberg Traurig, LLP Atlanta GEORGIA 30327

Attorney of Record Jeffrey M. Smith

Prior Registrations 1908209

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

Annex 3

TeamMichaelJackson.com

MICHAEL JACKSON

Word Mark MICHAEL JACKSON

Goods and Services IC 025. US 022 039. G & S: Clothing, namely, shirts, jackets, sweaters, pants, belts, socks, sweatshirts, jerseys, shorts, jogging suits, sweat pants; headwear; scarves, gloves, coats, hosiery, neckties, rainwear, swimwear, sleepwear, robes, thermal underwear, headbands, and wristbands; footwear; costumes for use in children's dress up play; costumes for use in role-playing games; dance shoes; dance costumes; masquerade costumes and masks sold in connection therewith; novelty headwear with attached wigs; infant wear; infants' shoes and boots

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 77806355

Filing Date August 17, 2009

Current Filing Basis 1B

Original Filing Basis 1B

Owner (APPLICANT) Triumph International, Inc. CORPORATION CALIFORNIA c/o Greenberg Traurig, LLP 3290 Northside Parkway, Suite 400 Atlanta GEORGIA 30327

Attorney of Record Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq.

Prior Registrations 1908209

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

Annex 4

TeamMichaelJackson.com

MICHAEL JACKSON

Word Mark MICHAEL JACKSON

Goods and Services IC 016. US 002 005 022 023 029 037 038 050. G & S: Paper goods and printed matter, namely, posters; children's books; books in the field of music and entertainment, series of fiction books; comic books, bumper stickers, stickers, calendars, pencil sharpeners, pencil cases, activity books, both printed and blank; binders, notebooks, stationery, note pads, writing tablets, paper table cloths, paper napkins, pencils, markers, erasers, coloring books, writing pens, non-calibrated rulers, paper weights, paper coasters, bookmarks, book covers and holders, paper place mats; photo albums; address books; fan club newsletters, post cards, holiday cards, greeting cards, art prints, printed art reproductions, merchandise bags; children's activity books and picture books; photographs, gift wrap paper; souvenir collection books for movies and other audiovisual productions; souvenir collection books commemorating the life of a famous pop star; entertainment tour memorabilia collection books; event programs; song books; sheet music books; picture books; decals; magazines, newsletters, booklets, pamphlets and brochures in the field of music and entertainment; lithographs; precious metal money clips; letter openers of precious metal and book markers of precious metal

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 77806351

Filing Date August 17, 2009

Current Filing Basis 1B

Original Filing Basis 1B

Owner (APPLICANT) Triumph International, Inc. CORPORATION CALIFORNIA 3290 Northside Parkway, Suite 400 c/o Greenberg Traurig, LLP Atlanta GEORGIA 30327

Attorney of Record Jeffrey M. Smith

Prior Registrations 1908209

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

Annex 5

TeamMichaelJackson.com

MICHAEL JACKSON

Word Mark MICHAEL JACKSON

Goods and Services IC 041. US 100 101 107. G & S: Entertainment services, namely, live and televised performances featuring musical, dance, dramatic, and comedic presentations; entertainment services, namely, an ongoing series featuring music and dance provided through the Internet, television, satellite, and audio media; film, theater, radio, videotape and television program production services; entertainment in the nature of a continuing television drama series, entertainment in the nature of a continuing television comedy series; entertainment in the nature of television news shows; music publishing services; song writing services; audio recording and production; record and music production; recording studio services; magazine publication services; providing recreational activities facilities for others; recreational camps; recreational park services; amusement parks; art exhibitions; dance instruction; entertainment services, namely, operating a museum and providing guided tours of the museum; providing theme park services; dance events; dance schools; dance studios; museums; entertainment services, namely, providing podcasts in the field of music; entertainment services, namely, providing information and commentary online in the field of music; providing newsletters in the field of music via e-mail; entertainment services, namely, providing pre-recorded music, video and graphics, providing information in the field of music, and commentary and articles about music, all online; providing an Internet website portal featuring musical performances, musical videos, film clips, photographs and other multimedia materials; fan club services; educational services, namely, conducting classes, seminars, conferences, and workshops in the field of music and entertainment

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 77806358

Filing Date August 17, 2009

Current Filing Basis 1B

Original Filing Basis 1B

Owner (APPLICANT) Triumph International, Inc. CORPORATION CALIFORNIA c/o Greenberg Traurig, LLP 3290 Northside Parkway, Suite 400 Atlanta GEORGIA 30327

Attorney of Record Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq.

Prior Registrations 1908209

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

Annex 6

TeamMichaelJackson.com

Feldman, Joel R. (Assoc-Atl-Ent)

From: teas@uspto.gov
Sent: Tuesday, March 29, 2011 12:09 PM
To: AtlTrademark
Subject: THE OFFICIAL ONLINE TEAM OF THE MICHAEL JACKSON ESTATE - Class 41 - Serial number 85279607: Received Your Trademark/Service Mark Application, Principal Register - Our Ref.: 121077.030000.0052

MARK: THE OFFICIAL ONLINE TEAM OF THE MICHAEL JACKSON ESTATE (Standard Characters, mark.jpg)

The literal element of the mark consists of THE OFFICIAL ONLINE TEAM OF THE MICHAEL JACKSON ESTATE.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

We have received your application and assigned serial number '85279607' to your submission. The summary of the application data, *bottom below*, serves as your official filing receipt.

In approximately 3 months, an assigned examining attorney will review your application to determine if all legal requirements are met. Currently, your mark is **not** registered and is considered a "pending" application. The overall process from the time of initial filing to registration or final refusal can take 13-18 months or even longer, depending on many factors; e.g., the correctness of the original filing and the type of application filed. It is **CRITICAL** that you check the status of your application **at least every 3 - 4 months** and promptly contact the Office if a letter (an "Office action") or notice has issued for your application that you did not receive or do not understand. To check the status, please use <http://tarr.uspto.gov>. Do **not** submit status requests to TEAS@uspto.gov. Failure to respond timely to any Office action or notice may result in the abandonment of your application, requiring you to pay an additional fee to have your application revived even if you did not receive the Office action or notice.

Please view all incoming and outgoing correspondence at <http://portal.uspto.gov/external/portal/tow>. If your status check reveals an issued Office action or notice that you did not receive, immediately view the action/notice through the USPTO website. The USPTO does not extend filing deadlines due to a failure to receive USPTO mailings/e-mailings. You must ensure that you update your record if your mail and/or e-mail address changes, using the form available at <http://www.uspto.gov/teas/eTEASpageE.htm>.

If you discover an error in the application data, you may file a Voluntary Amendment, at <http://www.uspto.gov/trademarks/teas/miscellaneous.jsp>. Do **not** submit any proposed amendment to TEAS@uspto.gov, because the technical support team may not make any data changes. **NOTE:** You must wait approximately 7-10 days to submit any Voluntary Amendment, to permit initial upload of your serial number into the USPTO database. The acceptability of any Voluntary Amendment will only be determined once regular examination begins, since the assigned examining attorney must decide whether the change proposed in the amendment is permissible. **Not all errors may be corrected;** e.g., if you submitted the wrong mark, if the proposed correction would be considered a material alteration to your original filing, it will not be accepted, and your only recourse would be to file a new application (with **no** refund for your original filing).

Since your application filing has already been assigned a serial number, please do **not** contact TEAS@uspto.gov to request cancellation. The USPTO will only cancel the filing and refund your fee if upon review we determine that the application did not meet minimum filing requirements. **The fee is a processing fee that the USPTO does not refund, even if your mark does not proceed to registration.** NOTE: The only "exception" to the above is if you inadvertently file duplicate applications specifically because of a *technical glitch* and not merely a misunderstanding or mistake; *i.e.*, if you believe that the first filing did not go through because no confirmation was received and then immediately file again, only to discover later that both filings were successful, then the technical support team at TEAS@uspto.gov can mis-assign and refund one of the filings.

WARNING: You may receive unsolicited communications from companies requesting fees for trademark related services, such as monitoring and document filing. Although solicitations from these companies frequently display customer-specific information, including USPTO serial number or registration number and owner name, companies who offer these services are not affiliated or associated with the USPTO or any other federal agency. The USPTO does not provide trademark monitoring or any similar services. For general information on filing and maintenance requirements for trademark applications and registrations, including fees required by law, please consult the USPTO website.

APPLICATION DATA: Trademark/Service Mark Application, Principal Register

The applicant, Triumph International, Inc., a corporation of California, having an address of
Ziffren Brittenham LLP (c/o John Branca),
1801 Century Park West
Los Angeles, California 90067-6406
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 041: Entertainment services, namely, providing information to fans and fan sites of Michael Jackson by means of a global computer network

In International Class 041, the mark was first used at least as early as 10/00/2010, and first used in commerce at least as early as 10/00/2010, and is now in use in such commerce. The applicant is submitting one specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) print-out of page from a licensed website showing Applicant's mark in connection with and relating to Applicant's services.

Specimen-1 [spec-691745828-182935471_._MJ_OnlineTeam_._MJonlineteam_._Class_41.pdf]

The applicant claims ownership of U.S. Registration Number(s) 1908209.

The name(s), portrait(s), and/or signature(s) shown in the mark does not identify a particular living individual.

The applicant's current Attorney Information:

Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq. and Joel R. Feldman, Esq. of Greenberg Traurig, LLP

3290 Northside Parkway, Suite 400

Atlanta, Georgia 30327

United States

The attorney docket/reference number is 121077.030000.0052.

The applicant's current Correspondence Information:

Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq.

Greenberg Traurig, LLP

3290 Northside Parkway, Suite 400

Atlanta, Georgia 30327

678-553-2100(phone)

678-553-2212(fax)

atltrademark@gtlaw.com (authorized)

A fee payment in the amount of \$325 will be submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051 (b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Declaration Signature

Signature: /john branca/ Date: 03/28/2011

Signatory's Name: John Branca

Signatory's Position: President

Thank you,

The TEAS support team

Tue Mar 29 12:09:03 EDT 2011

STAMP: USPTO/BAS-69.174.58.28-20110329120903352189-85279607-
4805af1cd9825e566e9686e3ac9445c9b61-DA-10716-20110328182935471290

TeamMichaelJackson.com

Annex 7

TeamMichaelJackson.com



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Get short, timely messages from MJ OnlineTeam.

Twitter is a rich source of instantly updated information. It's easy to stay updated on an incredibly wide variety of topics. **Join today** and **follow @MJonlineteam**.

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Get updates via SMS by texting **follow MJonlineteam** to **40404** in the United States
Codes for other countries



MJonlineteam

NOTE →

Check out this fly through for Beat It on @MJTheExperience for Kinect!
<http://www.youtube.com/watch?v=C1tlvbh0Gnw&feature=relmfu>

4:39 PM Mar 25th via web

@themjplace April 14.

2:23 PM Mar 25th via HootSuite in reply to TheMJPlace

@angeladf April 12!

11:43 AM Mar 24th via HootSuite in reply to AngelaDF

MJTheExperience Brand new game play video: SMOOTH CRIMINAL: <http://ubi.li/tHav4> What do you think?

12:54 PM Mar 22nd via web

Retweeted by MJonlineteam and 7 others

MJTheExperience Check out the brand new footage of Michael Jackson The Experience on Kinect. Who's excited for Billie Jean? <http://ubi.li/hfBpk>

3:22 PM Mar 23rd via web

Retweeted by MJonlineteam and 4 others

@jamlovechange Following.

1:23 PM Mar 22nd via HootSuite in reply to JamLoveChange

@adkic3manx Maybe...;

12:18 PM Mar 22nd via HootSuite in reply to ADKic3mAnX

Name MJ OnlineTeam
Bio The Official Online Team of the Michael Jackson Estate™

202 following **1,824** followers **56** listed

Tweets **308**

Favorites

Following



[View all...](#)

[RSS feed of MJonlineteam's tweets](#)

RT @jamlovechange: @MJJusticePrjct @MJonlineteam Much love to you... .

12:18 PM Mar 22nd via HootSuite

@geminifox84 Hope you enjoyed!

12:18 PM Mar 22nd via HootSuite in reply to Geminifox84

@colonperez The Estate is considering several options.

12:17 PM Mar 22nd via HootSuite in reply to ColonPerez

@naty_oliv_ No. Absolutely not.

12:17 PM Mar 22nd via HootSuite in reply to NaTy_OLIV_

@change4love The Estate is considering several things to help address the tragedy in Japan.


12:16 PM Mar 22nd via HootSuite in reply to Change4LOVE

@adkic3manx John Branca and John McClain are the co-executors of The Estate.

12:15 PM Mar 22nd via HootSuite in reply to ADKic3mAnX

@msmjluv =)

12:15 PM Mar 22nd via HootSuite in reply to msmjluv

 **MJNewsBrasil** @MJonlineteam please help us spread the @MJNewsBrasil. It's the new space dedicated to Michael's fans in Brazil. With #LOVE

8:40 PM Mar 20th via web in reply to MJonlineteam

Retweeted by MJonlineteam and 5 others

Kevin Antunes, Musical Designer for Michael Jackson THE IMMORTAL World Tour, talks about working with the (cont)
<http://tl.gd/9bp3j1>

2:49 PM Mar 18th via TwitLonger Beta

Here's a first look at @MJTheExperience on Kinect! We've got more great sneak peeks coming soon! Pre-order here:
<http://myplay.me/4mz>

8:19 AM Mar 18th via web

@Geminifox84 enjoy!

4:51 AM Mar 17th via HootSuite in reply to Geminifox84

@NaTy_OLIV_ no, it did not.

4:51 AM Mar 17th via HootSuite in reply to NaTy_OLIV_

@1morechancemjo please follow us so we can DM you back.

12:26 PM Mar 16th via HootSuite

[more](#)

Annex 8

TeamMichaelJackson.com

TeamMichaelJackson

ESTATE V HTWF PEOPLE V CONRAD JACKSONS V AEG VIDEOS DONATIONS

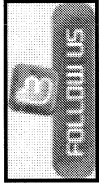
FULL COURT TRANSCRIPTS NOW ADDED

Select Language

Powered by Google Translate



Tweet



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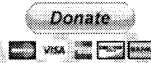


Annex 9

TeamMichaelJackson.com

Select Language
Powered by Google Translate

DONATIONS!



Hello everyone. We would like to thank each of you for visiting this website in support of our efforts to fight for JUSTICE FOR MICHAEL. We are grateful that so many of you have taken information from this site to share it with many others, as we hoped you would so that more and more people across the world can learn the truth about Michael's murder! We will continue our mission to provide up-to-date information about JUSTICE FOR MICHAEL, and we hope that YOU will continue to spread what you learn and to do whatever you can in this fight for Michael, his children, and his family.

We want to take a minute to explain just one aspect of what we are doing here on the website. One of the most informative and valuable methods of getting some of the information out there is through the court hearing TRANSCRIPTS. While we recognize that the FULL TRUTH may or may not ever completely come out in the court proceedings, THERE IS so much for us to still learn in the process. Many of us want to be there to support Michael & his family, to hear what might have happened, & to show the world that WE ARE NEVER GOING TO FORGET! Unfortunately, there's only a small handful of Michael's worldwide fans who are able to attend the court hearings, and EVEN FEWER who are lucky enough to win the lottery to actually have a seat inside of the courtroom during the proceedings. The other millions of fans and interested people out there who want to know what is going on are simply left in the dark so to speak because the Media only gives snippets of what happened in court-- And we are all aware that those tiny Media snippets are generally jaded, slanted or spun in a particular direction that isn't necessarily the truth or accurate. Some of what is printed by the Media is just outright wrong. For those of us who have attended the hearings and then have read some of what is subsequently written, we HAVE SEEN some of the discrepancies and inaccuracies! We can NOT depend on the Media to give us the FULL PICTURE of what happens inside the courtroom.

Initially, we set out to take our own handwritten notes of the daily proceedings, but we discovered that such a task was not effective or practical because, after sitting in court for up to 8 hours each day (during the two-week Preliminary Hearing), it would then take hours and hours to type up the notes to upload them by the same night so that you all could read them on the same day of EACH hearing. And since we truly wanted the notes to be as close to word-for-word as possible, it quickly became apparent that this method was not the most efficient way. Many of the daily handwritten notes from the Preliminary Hearing came out to be 35-45 pages! So, it was decided that the TRANSCRIPTS would be purchased and posted for the world to see. And this is truly best option because the TRANSCRIPTS ARE THE TRUE word-for-word accounts of what EVERYONE in the court proceedings have said- which means the Judge, the attorneys, and the witnesses. Although most daily TRANSCRIPTS for short proceedings are not very expensive, the ones for the lengthier proceedings are very costly- such as those for the two-week Preliminary Hearing. The TRANSCRIPTS for the six-week Trial will cost even more, but IT IS WORTH IT so that Michael's fans across the world can have the opportunity to know what is going on! At first there was NO plan to ask for help in paying for the TRANSCRIPTS, but the reality of mounting costs began to set in. We were very reluctant to add a Donation Button because some people could have different reactions to that, like saying it is a money-making scheme. But the expense of purchasing court hearing TRANSCRIPTS is completely verifiable by anyone who wants to do that- simply call the Los Angeles Superior Court. So after due consideration, we did decide to add the Donation Button because the costs so far have really added up. The costs will continue to add up as the Trial gets under way. As you can see, we have elected to NOT disclose the costs directly on the website because we felt that some people might feel bad about the large dollar amount (total) if they cannot donate. We did not want that. As indicated, for those who ARE curious (or skeptical), it IS verifiable through the Courts.

But no matter how much all of the TRANSCRIPTS end up costing, we WILL purchase them and post them here for the world to see. And to be honest, so far, ONLY ONE PERSON HAS PAID FOR THE TRANSCRIPTS UP TO THIS POINT. She had received NOTHING before deciding to purchase them out of her own pocket, for Michael's fans. So for those of you who can donate anything to help pay for the TRANSCRIPTS, we sincerely thank you! It really does help make it possible for us to do this for the world of people who want to be there but can't, ESPECIALLY for Michael's fans! And for those who can't donate, PLEASE DON'T WORRY OR FEEL BAD!! We are just as grateful to you for having the heart to want to give! You are contributing in SPIRIT, truly! THANK YOU!

HOME

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Annex 10

TeamMichaelJackson.com

WHOIS search results for:
TEAMMICHAELJACKSON.COM
(Registered)

Is this your
domain?
Add hosting, email and more.

GO!

Want to buy
this domain?
Get it with our Domain Buy service.

GO!

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DomainsByProxy.com
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Scottsdale, Arizona 85260
United States

Registered through: GoDaddy.com, Inc. (<http://www.godaddy.com>)
Domain Name: TEAMMICHAELJACKSON.COM
Created on: 22-Jan-11
Expires on: 22-Jan-12
Last Updated on: 08-Feb-11

Administrative Contact:
Private, Registration TEAMMICHAELJACKSON.COM@domainsbyproxy.com
Domains by Proxy, Inc.
DomainsByProxy.com
15111 N. Hayden Rd., Ste 160, PMB 353
Scottsdale, Arizona 85260
United States
(480) 624-2599 Fax -- (480) 624-2598

Technical Contact:
Private, Registration TEAMMICHAELJACKSON.COM@domainsbyproxy.com
Domains by Proxy, Inc.
DomainsByProxy.com
15111 N. Hayden Rd., Ste 160, PMB 353
Scottsdale, Arizona 85260
United States
(480) 624-2599 Fax -- (480) 624-2598

Domain servers in listed order:
NS1.IPAGE.COM
NS2.IPAGE.COM

Registry Status: clientDeleteProhibited
Registry Status: clientRenewProhibited
Registry Status: clientTransferProhibited
Registry Status: clientUpdateProhibited

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